



Request For Variance

State Form 51184 (12/02)
Food Protection Program

INDIANA STATE DEPARTMENT OF HEALTH
Telephone: 317/233-7360
FAX: 317/233-7334

RECEIVED

1. Individual Submitting Request:

Nov 19 2010

FOOD PROTECTION PROGRAM
INDIANA STATE DEPT. OF HEALTH

Date: 11/15/10

Name: Ervin O. Bontrager Telephone: () None Fax: ()
Mailing Address: N. Lynd Rd. 700E
Number & Street
Orleans Ind.
P.O. Box 47452
City State Zip Code

2. Person/Organization Seeking Variance:

Name: Ervin O. Bontrager Email: None
Mailing Address: N. Lynd Rd 700E
Number & Street
Orleans Ind. 47452
P.O. Box 47452
City State Zip Code

3. Food Establishment(s) for Which Variance is Sought

Include the following information for each food establishment: (List here or attach additional pages if necessary)

- Physical Location (if different than mailing address): _____
- Mailing Address: Lynd Creek Sugar Camp
(Number, Street, City, State, & Zip Code)
- Telephone Number: () None Fax Number: ()
- Person at each retail food establishment most responsible for supervising: Ervin O. Bontrager

4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:

(Attach additional pages if necessary)

Title 4101 AC 7-21 Section 41 (1)(2)
The well on site is not stable enough. Over the past yrs, I
tried several different attempts to stabilize the well - See attached
sheet

5. Explain how the potential public health hazards and/or nuisances will be alternatively addressed by the proposal. Include supporting studies, Hazard Analysis Critical Control Point (HACCP) Plan(s), standard sanitation operating procedures, and/or any other evidence: (Attach additional pages, if necessary.)

I will buy Municipal Water from a Hauler and will keep a log of
Purchase receipts, See attached sheet

6. List how the proposal demonstrates the following (if applicable to the request):

A) How the proposal differs from what is common and usual in similar industry situations:

Normally we use Well Water, but since the Water is not stable
enough we will use Municipal Water and try to operate safely - see attached sheet

B) How the proposal is unique and not addressed in existing rules or law:

It's a permanent Maple Syrup business, Seasonally, operation of
Production usually lasts no longer than a 4wk period with about 10-20 days
of operation, and able to use Municipal Water, helps us Meet the requirement of
C) How the proposal does not diminish the protection of public health:

The Proposal is on a Procedure we know and are
confident, we can meet all safety standards to protect Public health
Potable Water

D) How the proposal is based on new scientific or technological principle(s):

Its not any thing uncommon, we will use Municipal Water stored in a food grade Plastic Tank(1000gal.) which will be more then sufficient supply for the season.

E) How the implementation of the variance would be practical:

Will allow us to produce Maple Syrup Safely.

7. Explain how the person/organization seeking the variance will assure that all provisions of a granted variance will be enacted at each food establishment for which a variance has been granted:

Will communicate with(Hank) inspector and Keep records of Water and Sanitizing equipment

8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)

Only for my location and my customers will be assured of a safe Product

9. Attach copies of any related variances, waivers or opinions issued by other governmental agencies.

None

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10. Signature of Individual Making Request:

Printed Name, Title: Ervin O. Bontrager Owner-operator

Title 4101 AC7-21
Section 41 - (1)-(2)
continued from (4)

We tried to have the terrain well drained around the Well, so no top water is coming into the Well all to no avail. We did shock the Well several different times during operation and always kept bleach in the Water supply. We worked with Hank and took several samples of which a few were good, but most were not. We tried 2 other wells close by the Processing Plant but they all tested unsafe. The water supply in the area is coming from too many sink holes in a wide range and the stream underground is not bacteriologically safe. And I feel if we drilled a new well it would be the same. Therefore we would like to use Municipal water brought in by a well known Water hauler as follows:

(5) H2O Hauling Services Ph. No. 812-723-3142 or 812-653-2932 from Paoli, Ind. about 8 mi. from my residence.

We will sanitize all utensils affiliated in unloading into 1000 gal. Plastic tank with bleach per instruction on label of clorox. (The tank is a Polyethylene Plastic, bought new at Orscheln

We have Municipal Water about 1 mi. away but they need more people wanting to use their water in order to bring it past my house, maybe in the future, if it ever happens then I would hook on to it. We will use a dedicated brush to scrub the tank periodically and before each fill up. We will sanitize all areas including Lid and seal of tank as well as the lines to the Evaporator etc.

The brush will be stored in dedicated container.

(6) The Municipal Water will allow us to operate more safely, since the seasonal operation is only in Feb. and Mar. up to 4 wks. and sort of temporary because of very limited operating days. The Municipal Water - continued on Next sheet

continued from section 6 of Section 41

helps us meet the requirement of Potable Water

6-c We will sanitize all lines to Evaporator
we will call (Hank) the day the Water is brought
in and he will lead us through all safety procedures
in handling the Municipal Water

7- When Water is hauled in by H2-O will keep
a record of receipts and as mentioned above will let
Hank know when (from a neighbor's phone) Municipal
Water is brought in, and this procedure performed:

- 1- Hauler's tank well sanitized
- 2- Hoses sanitized on site, viewed by (Hank)
- 3- Supply tank sanitized and lit w/ seal
- 4- Sanitization of all lines from tank
- 5- also Evaporator prior to operation
- 6- 1000 gal. tank filled with Municipal Water